UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/015,708	11/30/2001	Luyin Zhao	US010602 (702787)	8656

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EXAMINER
LAZARO, DAVID R

ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 09/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO-90C (Rev. 10/03)

Office Action Summary	Application No.	Applicant(s)
	10/015,708	ZHAO ET AL.
	Examiner	Art Unit	
	David Lazaro	2155	

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *23 June 2005*.

2a) ☒ This action is **FINAL**.   2b) ☐ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *1-23* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) *1-23* is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a) ☐ All   b) ☐ Some * c) ☐ None of:

   1. ☐ Certified copies of the priority documents have been received.

   2. ☐ Certified copies of the priority documents have been received in Application No. _____.

   3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)

2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .

5) ☐ Notice of Informal Patent Application (PTO-152)

6) ☐ Other: _____.

DETAILED ACTION

1.   This office action is in response to the amendment filed 06/23/05.

2.   Claims 1, 9, 10, 14-16, 18 and 22 were amended.

3.   Claims 1-23 are pending in this office action.

Response to Amendment

4.   Applicant's arguments filed 06/23/05 have been fully considered but they are not

persuasive and are, in part, moot in view of the new grounds of rejection. Specifically,

the "UDDI server" limitation is considered obvious based on Slaughter in view of "UDDI

Technical White Paper".

5.   Applicant's amendment necessitated the new ground(s) of rejection presented in

this Office action.

Claim Rejections - 35 USC § 103

6.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

7.   Claims 1, 2, 4-7, 9-12, 14-19 and 21-23 are rejected under 35 U.S.C. 103(a) as

being unpatentable over U.S. Patent 6,643,650 by Slaughter et al. (Slaughter) in view of

"UDDI Technical White Paper" September 6, 2000, from uddi.org (UDDI-WP).

8.   With respect to Claim 1, Slaughter teaches a method for obtaining business

service information over the Internet (Col. 8 lines 43-67), the method comprising:

at least one service provider registering a business (Col. 1 lines 46-61 and Col. 78 lines

36-44) service with a server and storing the same in a database (Col. 45 lines 21-49); a

user requesting a business service from the server (Col. 46 lines 46-63 and Col. 48

lines 44-59); initially searching the database for the requested service (Col. 46 line 64 -

Col. 47 line 38); updating the database (Col. 48 line 44 - Col. 49 line 27); subsequently

searching the updated database for the requested service (Col. 49 lines 3-14 and Col.

47 lines 13-38); and notifying the user of the results of the subsequent search (Col. 49

lines 3-14 and Col. 47 lines 39-58).

Slaughter does not explicitly disclose the server is a UDDI server. UDDI-WP

teaches a UDDI server can be used for registering services and providing a business

registry for locating the registered services (Page 2, "UDDI business registrations..."

and "Using UDDI"). Use of UDDI provides for a uniform service description format and

service discovery (Page 3, Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the method disclosed by Slaughter and modify it as

indicated by UDDI-WP such that the server is a UDDI server. One would be motivated

to have this, as there is need for locating information about available services and

providing uniform standards for such information (In UDDI-WP: Pages 2 and 3,

"Overview" and "Background").

9.   With respect to Claim 2, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 1 and further teaches notifying the user of the results of the initial search (Col.

49 lines 3-14 and Col. 47 lines 39-58).

10.   With respect to Claim 4, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 2 and further teaches the registering further comprises registering a

corresponding service status for the service, and if the requested service is found in the

database from either the initial or the subsequent search, the corresponding notifying

comprises informing the user of the corresponding service status of the requested

service (Col. 49 lines 3-14).

11.   With respect to Claim 5, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 2 and further teaches if the requested service is not found in the database from

either the initial or the subsequent search, the corresponding notifying comprises

informing the user that the requested service is not registered with the server (Col. 49

lines 3-14 and Col. 47 lines 39-58).

12.   With respect to Claim 6, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 1 and further teaches storing the request for the service in the database for

subsequent search (Col. 48 line 44 - Col. 49 line 27).

13.   With respect to Claim 7, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 6 and further teaches notifying the user that the service request has been

stored (Col. 22 lines 28-37 and Col. 48 lines 51-59).

14.   With respect to Claim 9, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 2 and further teaches the registering further comprises registering a

corresponding service status for the service, and if the requested service is found on the

UDDI server in the initial search and the service status indicates that the service is

available, the corresponding notifying of the initial search results comprises informing

the user that the requested service is available (Col. 49 lines 3-14 and Col. 47 lines 39-

58).

15.   With respect to Claim 10, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 2 and further teaches the registering further comprises registering a

corresponding service status for the service, and if the requested service is found on the

UDDI server in the initial search and the service status indicates that the service is

unavailable, the corresponding notifying of the initial search results comprises informing

the user that the requested service is unavailable (Col. 49 lines 3-14 and Col. 47 lines

39-58).

16.   With respect to Claim 11, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 10 and further teaches storing the request for the service in the

database (Col. 48 line 44 - Col. 49 line 27).

17.   With respect to Claim 12, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 11 and further teaches notifying the user that the service request

has been stored (Col. 22 lines 28-37 and Col. 48 lines 51-59).

18.   With respect to Claim 14, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 1 and further teaches the registering further comprises registering a

corresponding service status for the service, and if the requested service is not found on

the UDDI server in the initial search but found in the subsequent search and the service

status indicates that the service is available, the notifying of the subsequent search

results comprises informing the user that the requested service has been found in a

subsequent search and is available (Col. 49 lines 3-14 and Col. 47 lines 39-58).

19.   With respect to Claim 15, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 1 and further teaches the registering further comprises registering a

corresponding service status for the service, and if the requested service is not found on

the UDDI server in the initial search but found in the subsequent search and the service

status indicates that the service is unavailable, the notifying of the subsequent search

results comprises informing the user that the requested service has been found in a

subsequent search and is unavailable (Col. 49 lines 3-14 and Col. 47 lines 39-58).

20.   With respect to Claim 16, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 1 and further teaches the updating comprises permitting at least one

additional service provider to register with the UDDI server (Col. 48 line 44 - Col. 49 line

27).

21.   With respect to Claim 17, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 1 and further teaches the registering further comprises registering a

corresponding service status for the service and the updating comprises permitting the

at least one registered service provider to change the corresponding service status (Col.

45 lines 21-49 and Col. 49 lines 3-14).

22.   With respect to Claim 18, Slaughter teaches a system for obtaining business

service information over the Internet (Col. 8 lines 43-67), the system comprising: a

server having a memory operatively connected thereto for storing a database of

services by service providers (Col. 45 lines 21-49); means for receiving a request for a

business (Col. 1 lines 46-61 and Col. 78 lines 36-44) service by a user (Col. 46 lines 46-

63 and Col. 48 lines 44-59); means for initially searching the database for the service

request (Col. 46 line 64 - Col. 47 line 38); means for updating the database (Col. 48 line

44 - Col. 49 line 27); means for subsequently searching the updated database for the

requested service (Col. 49 lines 3-14 and Col. 47 lines 13-38); and means for notifying

the user of the results of the subsequent search (Col. 49 lines 3-14 and Col. 47 lines 39-

58).

Slaughter does not explicitly disclose the server is a UDDI server. UDDI-WP

teaches a UDDI server can be used for registering services and providing a business

registry for locating the registered services (Page 2, "UDDI business registrations..."

and "Using UDDI"). Use of UDDI provides for a uniform service description format and

service discovery (Page 3, Fig. 1).

It would have been obvious to one of ordinary skill in the art at the time the

invention was made to take the system disclosed by Slaughter and modify it as

indicated by UDDI-WP such that the server is a UDDI server. One would be motivated

to have this, as there is need for locating information about available services and

providing uniform standards for such information (In UDDI-WP: Pages 2 and 3,

"Overview" and "Background").

23.   With respect to Claim 19, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 18 and further teaches means for notifying the user of the results of

the initial search (Col. 49 lines 3-14 and Col. 47 lines 39-58).

24.   With respect to Claim 21, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 18 and further teaches a memory for storing the request if the

requested service is not found in the database in the initial search (Col. 48 line 44 - Col.

49 line 27).

25.   With respect to Claim 22, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 18 and further teaches the means for updating comprises means for

permitting at least one additional service provider to register with the UDDI server (Col.

48 line 44 - Col. 49 line 27).

26.   With respect to Claim 23, Slaughter in view of UDDI-WP teaches all the

limitations of Claim 18 and further teaches the at least one service provider further

registers a corresponding service status for the service and the means for updating

comprises means for permitting the at least one registered service provider to change

the corresponding service status (Col. 45 lines 21-49 and Col. 49 lines 3-14).

27.   Claims 3, 8, 13 and 20 are rejected under 35 U.S.C. 103(a) as being

unpatentable over Slaughter in view of UDDI-WP and U.S. Patent 5,974,406 by

Bisdikian et al. (Bisdikian).

28.   With respect to Claim 3, Slaughter in view of UDDI-WP teaches all the limitations

of Claim 1 but does not explicitly teach either of the notifying comprises sending an e-

mail to the user. Bisdikian teaches notification of updated search results can comprise

sending an e-mail to the interested user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Slaughter in view of UDDI-WP and modify it as indicated by Bisdikian such that either of the notifying comprises sending an e-mail to the user. One would be motivated to have this, as it is desirable to not have the user be burdened with repeatedly checking for new or updated search results (Col. 2 lines 1-10 of Bisdikian).

29.   With respect to Claim 8, Slaughter in view of UDDI-WP teaches all the limitations of Claim 7 but does not explicitly teach the notifying that the service request has been stored comprises sending an e-mail to the user indicating the storage of the service request. Bisdikian teaches notification of a service can comprise sending an e-mail to the user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Slaughter in view of UDDI-WP and modify it as indicated by Bisdikian such that the notifying that the service request has been stored comprises sending an e-mail to the user indicating the storage of the service request. One would be motivated to have this, as it is desirable to give the user notification instead of requiring the user to determine the information on their own (Col. 2 lines 1-10 of Bisdikian).

30.   With respect to Claim 13, Slaughter in view of UDDI-WP teaches all the limitations of Claim 12 but does not explicitly teach the notifying that the service request has been stored comprises sending an e-mail to the user indicating the storage of the

service request. Bisdikian teaches notification of a service can comprise sending an e-mail to the user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the method disclosed by Slaughter in view of UDDI-WP and modify it as indicated by Bisdikian such that the notifying that the service request has been stored comprises sending an e-mail to the user indicating the storage of the service request. One would be motivated to have this, as it is desirable to give the user notification instead of requiring the user to determine the information on their own (Col. 2 lines 1-10 of Bisdikian).

31.   With respect to Claim 20, Slaughter in view of UDDI-WP teaches all the limitations of Claim 19 but does not explicitly teach either of the means for notifying comprises means for generating an e-mail and transmitting the same to the user. Bisdikian teaches notification of updated search results can comprise sending an e-mail to the interested user (Col. 3 lines 34-40 and Col. 5 line 54-65).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to take the system disclosed by Slaughter in view of UDDI-WP and modify it as indicated by Bisdikian such that either of the means for notifying comprises means for generating an e-mail and transmitting the same to the user. One would be motivated to have this, as it is desirable to not have the user be burdened with repeatedly checking for new or updated search results (Col. 2 lines 1-10 of Bisdikian).

Response to Arguments

32.   Applicant's arguments filed 6/23/05 have been fully considered but they are not persuasive.

33.   Applicants argue on page 7 of remarks - "*The present invention as recited in claims 1 and 18 does not make use of distributed computing environments for its functionality, however the teachings of Slaughter et al. would become inoperable if the distributed computing environment were removed and replaced with a UDDI server instead.*"

  a.   The examiner first notes the claimed subject matter includes a distributed computing environment as it makes specific reference to the "Internet". Furthermore, the transitional phrase "comprising" is used. As such, the claim "*is inclusive or open-ended and does not exclude additional, unrecited elements or method steps.*" (MPEP 2111.03).

  b.   Furthermore, Applicants' argument of inoperability is merely a conclusive statement. No factual evidence or reasoning is given to support this argument. In fact, based on the sited UDDI white paper, UDDI is implemented in a distributed environment. On Page 1, the Abstract of UDDI-WP states, "*Universal Description, Discovery and Integration (UDDI) is a specification for **distributed** Web-based information registries of Web services*" (emphasis added). On page 2, the Overview of UDDI-WP states, "*UDDI takes an approach that relies upon a **distributed** registry of businesses and their service descriptions implemented in a common XML format*" (emphasis added).

Conclusion

34.   Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Lazaro whose telephone number is 571-272-3986. The examiner can normally be reached on 8:30-5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Saleh Najjar can be reached on 571-272-4006. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

David Lazaro
September 6, 2005

SALEH NAJJAR
PRIMARY EXAMINER